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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12

13 MINERVA GARZA,

14 Plaintiff,

15 v.

16 KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

17 Defendant.
18

No. 1:22-cv-00207-ADA-GSA

STIPULATED MOTION AND ORDER FOR
AN EXTENSION OF TIME TO RESPOND TO
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT

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20 IT IS HEREBY STIPULATED, by and between the parties through their respective
21 counsel of record, with the Court's approval, that Defendant's time for responding to Plaintiff's
22 Motion for Summary Judgment be extended days nine (9) days from November 28, 2022 to
23 December 7, 2022. This is Defendant's second request for an extension. Defendant previously
24 availed himself of the automatic Briefing extension of 28-days as set forth in the Amended
25 Scheduling Order (ECF Doc. 12). Plaintiff has no objection to Defendant's request for an
26 extension.

27 Good cause exists for this request. Defendant respectfully requests this additional time
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1 because Counsel for Defendant will be unable to devote the time required to complete
2 Defendant's response to Plaintiff's Motion for Summary Judgment given the current due date.
3 Counsel for Defendant is out of the office or working minimal time from November 21, 2022
4 through November 28, 2022. Given this current situation an extension until December 7, 2022
5 should provide an opportunity for the undersigned Counsel for Defendant to complete the
6 response to Plaintiff's Motion for Summary Judgment. Furthermore, a reassignment of this
7 matter to another staff attorney is currently not tenable given the high volume of cases that all of
8 our limited staff (due to leave and resignations) is handling. Counsel apologizes to the Court for
9 any inconvenience caused by this delay. All other dates in the Court's Scheduling Order shall be
10 extended accordingly.

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12 Respectfully submitted,

13 PHILLIP A. TALBERT
14 United States Attorney

15 DATE: November 22, 2022

16 By: s/ Oscar Gonzalez de Llano
17 OSCAR GONZALEZ DE LLANO
18 Special Assistant United States Attorney
19 Attorneys for Defendant

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21 Respectfully submitted,

22 Attorneys for Plaintiff

23 DATE: November 22, 2022

24 By: s/ Jonathan Omar Pena *
25 Jonathan Omar Pena
26 Pena & Bromberg
27 (*as authorized by email)

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ORDER

Pursuant to Defendant's Motion, IT IS SO ORDERED that Defendant shall have an
extension, up to and including December 7, 2022, to respond to Plaintiff's Opening Brief.

IT IS SO ORDERED.

Dated: **November 23, 2022**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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